

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL FULLER,

Plaintiff,

v.

ALLSTATE PROPERTY AND  
CASUALTY INSURANCE  
COMPANY,

Defendant.

NO. 3:17-CV-0955

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 18<sup>th</sup> day of January, 2018, **IT IS HEREBY ORDERED** that:

- (1) Defendant Allstate Property and Casualty Insurance Company's Motion to Dismiss pursuant to Rule 12(b)(6) and 12(b)(7) (Doc. 11) is **GRANTED in part and DENIED in part**, and Plaintiff shall file a Third Amended Complaint within **twenty-one (21) days** from the date of entry of this Order adding Rebecca Fuller as a plaintiff to the action pursuant to Federal Rule of Civil Procedure 19(a).
- (2) The Motion to Dismiss is **DENIED** in all other respects.

/s/ A. Richard Caputo  
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A. Richard Caputo  
United States District Judge